

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JEFFREY SMITH, et al.,)	
)	
Plaintiffs,)	CV 05-3084-CO
)	
v.)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATION
GUIDEONE MUTUAL INSURANCE)	
COMPANY,)	
)	
Defendant.)	

Magistrate Judge John P. Cooney filed his Findings and Recommendations (docket #24) on May 15, 2006. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981). Defendants have filed objections, which I have carefully studied along with the Plaintiff's response.

After reviewing the Magistrate Judge's report de novo, I

find no error. I adopt Magistrate Judge Cooney's report.
Defendants' motion (# 9) for summary judgment is denied.

DATED this 19 day of August, 2006.

A handwritten signature in cursive script, reading "Owen M. Panner". The signature is written in dark ink and is positioned above the printed name and title.

OWEN M. PANNER
United States District Judge